

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

**FREDDIE J. GRIMES,**

**06-CV-619-AS**

**Plaintiff,**

**ORDER**

**v.**

**OREGON DEPARTMENT OF CORRECTIONS,  
et al.,**

**Defendants.**

**FREDDIE J. GRIMES**  
S.R.C.I.  
SID #8371094  
777 Stanton Boulevard  
Ontario, OR 97914

*Plaintiff, Pro Se*

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Attorneys for Defendants

**BROWN, Judge.**

On August 22, 2006, Magistrate Judge Donald Ashmanskas issued an Order (#18) denying Plaintiff Freddie J. Grimes's "Ordering Motion to '5' Counts of Actual Fraud and '5' Counts of Fraud" (#9) and Plaintiff's Motion for Investigative Grand Jury (#16). On September 14, 2006, Plaintiff filed a "Motion to Appeal Denying Plaintiff's Motions for Fraud Filed on Defendants and Motion for Investigative Grand Jury" (#24), which the Court construes as Objections to the Order denying Plaintiff's Motions. The matter is now before this Court pursuant to Fed. R. Civ. P. 72(a).

When a party objects to any portion of a Magistrate Judge's nondispositive Order, the district court must make a *de novo* determination of that portion of the Order. 28 U.S.C. § 636(b)(1). See also *United States v. Bernhardt*, 840 F.2d 1441, 1444 (9<sup>th</sup> Cir. 1988); *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9<sup>th</sup> Cir. 1981), cert. denied, 455 U.S. 920 (1982).

This Court has carefully considered the Objections of Plaintiff and concludes they do not provide a basis to modify the Magistrate Judge's Order. This Court also has reviewed the pertinent portions of the record *de novo* and does not find any error.

**CONCLUSION**

The Court **AFFIRMS** Magistrate Judge Ashmanskas's Order (#18) denying Plaintiff's "Ordering Motion to '5' Counts of Actual Fraud and '5' Counts of Fraud" (#9) and Plaintiff's Motion for Investigative Grand Jury (#16).

Accordingly, the Court **DENIES** Plaintiff's "Motion to Appeal Denying Plaintiff's Motions for Fraud Filed on Defendants and Motion for Investigative Grand Jury" (#24).

IT IS SO ORDERED.

DATED this 20<sup>th</sup> day of October, 2006.

/s/ Anna J. Brown

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ANNA J. BROWN  
United States District Judge